

Form 1

Individual Estate Property Record and Report

Asset Cases

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Case No.: 19-07235

Case Name: CUMMINGS MANOOKIAN, PLLC

Trustee Name: (620290) Jeanne Ann Burton

Date Filed (f) or Converted (c): 11/06/2019 (f)

§ 341(a) Meeting Date: 12/02/2019

For Period Ending: 03/31/2023

Claims Bar Date: 04/01/2020

1 Ref. #	Asset Description (Scheduled And Unscheduled (u) Property)	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Formally Abandoned OA=§554(a) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1*	Accounts Receivable (See Footnote)	70,000.00	0.00		0.00	FA
2	Office Equipment/ Furn (Debtor does not own any)	0.00	0.00		0.00	FA
3*	Costs due in various cases There are cases where costs have been advanced in lawsuits contingent upon cases being successfully resolved but are presently unrealized due to the cases being pending without resolution. (See Footnote)	Unknown	0.00		0.00	FA
4	A/R Case BaHC Potential Attorney Fees/Costs for confidential case	0.00	11,680.64		11,680.64	FA
5*	A/R Case BaHu Potential Attorney Fees/Costs for confidential case (See Footnote)	0.00	0.00		0.00	FA
6*	A/R Case BeLb Potential Attorney Fees/Costs for confidential case (See Footnote)	0.00	1.00		0.00	FA
7*	A/R Case BrRe Potential Attorney Fees/Costs for confidential case (See Footnote)	0.00	1.00		0.00	FA
8*	A/R Case DyVa Potential Attorney Fees/Costs for confidential case (See Footnote)	0.00	0.00		0.00	FA
9	A/R Case KnRi Potential Attorney Fees/Costs for confidential case	0.00	19,286.13		19,286.13	FA
10*	A/R Case MiVa Potential Attorney Fees/Costs for confidential case (See Footnote)	0.00	1.00		0.00	1.00
11	A/R Case RuAr Potential Attorney Fees/Costs for confidential case	0.00	28,884.58		28,884.58	FA
12*	A/R Case SaRo Potential Attorney Fees/Costs for confidential case (See Footnote)	0.00	0.00		0.00	FA
13*	A/R Case ShVa Potential Attorney Fees/Costs for confidential case (See Footnote)	0.00	1.00		0.00	1.00
14	A/R Case ThSi - Preference DE 56 (u) 03/11/20-Agreed Order for turnover - docket #56	0.00	23,637.22		23,637.22	FA
15	A/R Case WaMo Potential Attorney Fees/Costs for confidential case	0.00	1.00		9,695.85	FA
16*	A/R Case WhPa Potential Attorney Fees/Costs for confidential case (See Footnote)	0.00	0.00		0.00	FA

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17* A/R Case WoMi Potential Attorney Fees/Costs for confidential case (See Footnote)	0.00	0.00		0.00	FA
18* A/R Case FiOs Adversary 320:ap-90002 Disputed Attorney Fees/Costs for confidential case (See Footnote)	1,400,000.00	1,400,000.00		0.00	1,400,000.00
19 A/R Case West MDL Settlement (u) Fees/Costs for confidential casse	3,739.85	3,739.85		3,739.85	FA
19 Assets Totals (Excluding unknown values)	\$1,473,739.85	\$1,487,233.42		\$96,924.27	\$1,400,002.00

RE PROP# 1 See itemized individual receivable assets

RE PROP# 3 Each cost is part of the individually itemized receivable case assets

RE PROP# 5 CM will not receive fees in this case.

RE PROP# 6 Action is pending but not yet resolved. Accordingly, Trustee has shown a value of \$1.00 to indicate the asset is being administered. CM will not receive fees in this case.

RE PROP# 7 Action is pending but not yet resolved. Accordingly, Trustee has shown a value of \$1.00 to indicate the asset is being administered. CM will not receive fees in this case.

RE PROP# 8 CM will not receive fees in this case.

RE PROP# 10 Action was settled. Settlement amount is confidential and Trustee does not yet know amount of settlement. The amount of attorney fees to which Debtor is entitled has not yet been determined. Adversary proceeding 320-ap-90002 seeks to determine amount due to Debtor and is pending but not yet resolved. Accordingly, Trustee has shown a value of \$1.00 to indicate the asset is being administered.

RE PROP# 12 CM will not receive fees in this case.

RE PROP# 13 Action was settled. Settlement amount is confidential and Trustee does not yet know amount of settlement. The amount of attorney fees to which Debtor is entitled has not yet been determined. Adversary proceeding 320-ap-90002 seeks to determine amount due to Debtor and is pending but not yet resolved. Accordingly, Trustee has shown a value of \$1.00 to indicate the asset is being administered.

RE PROP# 16 CM will not receive fees in this case.

RE PROP# 17 CM will not receive fees in this case.

RE PROP# 18 Case settled. Adversary 320-ap-90002 pending re dispute as to entitlement of fees. \$715,000.00 of the fees ordered in escrow with Court.

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Major Activities Affecting Case Closing:

schedules are at DE 1,7,9 and 10
11/18/19-motion to employ P. Young filed
12/02/19- documents requested at the moc
12/03/19 e-mail to J. Lefkovitz re bank statements and credit card statements and documents requested at moc
12/09/19-objection to motion to employ P. Young filed; hearing is 12/17/19
12/10/19 attend hearing on TRO against Hagh Law in Lawrenceburg
12/11/19 review proposed TRO order
12/11/19 discuss witness and exhibit list with P. Young for motion to employ special counsel
12/13/19 t/c John Konvilinka re appeal-his name was given to me by debtor's counsel;e-mail to debtor's counsel re supplying info
12/13/19 t/c Charles Malone at Butler Snow re appeal-he represents the appellees
12/17/19 hearing on Motion to employ special counsel- court took matter under advisement
12/20/19-order re: TE app to employ special counsel gives the TE until 12/24/19 to file supp. app and more info
12/21/19-supplement to app. of TE to employ special counsel filed
12/23/19-order granting application to employ Thompson Burton PLLC entered
12/23/19-B. Manookian filed request for leave to respond in opposition and objection to app. to employ Thompson Burton PLLC
12/23/19-prep of suggestion of bk in Ct. of Appeals
12/26/19-order denying B. Manookian request for leave to respond entered
01/02/20-prep of suggestion of bk in Circuit Ct (mail)
01/02/20-send demand letter to A. Hagh (to d/m case against Debtor)-reg and cert. mail
01/02/20-file asset notice; last day to file claims is 4/1/2020
01/03/20- review order from COA re oral argument
01/08/20-adversary complaint filed
01/08/20-expedited motion/order for turnover of funds filed
01/09/2020-order setting hearing on motion for turnover of funds entered, deadline to object to the relief is 1/14/2020 at 4pm; hearing is scheduled for 1/15/2020 at 1:30pm
01/14/20-objection to expedited motion for turnover filed
01/14/20-NOA filed by John Spragens-attorney for Hagh Law
01/14/20-Plaintiff's reply to objection of Hagh Law PLLC filed
01/15/20-Hagh Law filed motion to strike Plaintiff's reply to objection
01/15/20-summons and notice of pretrial -pretrial is 3/10/20
01/15/20 attend hearing on motion for turnover of funds
01/16/20-order entered for turnover of funds-funds to be deposited with Bk Court Clerk by 11:59 pm 1/21/20; final hearing will be 2/5/20
01/17/20 review order re turnover of funds and setting final hearing
01/28/20-review poc filed by Grant Konvilinka-based on default judgment
01/28/20-motion to compel turnover of records filed; hearing is 2/11/20 (responses due by 2/7/20)
01/31/20-prep and file motion for sanctions for violation of automatic stay-Hagh Law/Afsoon Hagh
01/31/20-review NOA filed by Craig Gabbert (had returned earlier phone call)
02/03/20 -phone call with C. Gabbert, atty for Ms. Hagh and Hagh Law
02/03/20-hearing on motion for turnover of records rescheduled to 2/18/20
02/03/20-hearing on motion for sanctions is 2/18/20
02/06/20-order on expedited motion for turnover of funds submitted (Clerk to continue to hold the \$715,000)
02/07/20-response to motion to compel filed by B. Mannokian and S. Lefkovitz
02/07/20-proposed a/o submitted re: complaint in Circuit Court dismissed and motion for sanctions is moot
02/11/20-hearing on motion to compel turnover of records continued to 3/3/20
02/24/20-motion for entry of default against defendants in adversary was filed
02/24/20-entry of default entered in the adversary
03/03/20-hearing on motion to compel continued to March 24, 2020
03/03/20-motion to continue pretrial conference in adversary to March 24, 2020 filed
03/04/20 consult with L. Williams re any requirement to file 2019 return-no requirement
03/10/20-agreed order for turnover of monies held by Receiver filed
03/13/20-prep of motion to employ Accountant

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03/16/20 answers filed in adv proceeding; entry of default will be withdrawn
03/17/20 hearing on motion for turnover will be continued to 4/21/20; pretrial continued also
04/01/20 e-mail to D. Puryear re order for turnover of funds
04/07/20-file order to employ Accountant-had wrong effective date on it
04/07/20-filed amended order to employ Accountant
04/14/20-motion to continue hearing on motion to compel and adversary pretrial conference filed
04/15/20-order continuing hearings to May 19 at 10:15 am entered
04/25/20-motion to approve fee/expense division filed
05/15/20-motion to continue hearing on turnover of records and motion to continue pretrial in adv. filed
05/18/20-order to continue hearing on turnover and pretrial to June 30, 2020 entered
05/18/20-objection to motion to approve fee and expense division filed; hearing is scheduled for 5/26/20 at 10 am
05/22/20-motion to cont. hearing on motion to approve fee/expense division filed; expedited order submitted
05/26/20-order to cont. hearing on motion to approve fee/expense division entered-hearing will be 6/9/20
06/09/20-order approving fee and expense division among Debtor and Cummings Law filed
06/29/20-motion and expedited order to continue hearing on motion to compel turnover filed
06/29/20-order to continue hearing entered; hearing is 8/18/20 at 10:15 am (Telephonic)
08/17/20-joint pretrial statement filed in adv. 20-90002
08/19/20-adv pretrial has been continued to 1/12/2021 at 10:15 am
08/19/20-order compelling turnover of documents entered
09/03/20-review e-mail and phone call with P. Young re document production
09/28/20- follow up with P. Young re documents and written discovery
10/30/20-prep of notice of status of bk case to be filed in Ct. of Appeals
11/09/20-e-mail to P. Young re written discovery
11/23/20 review draft of written discovery
12/16/20 review e-mail from P. Young responding to requests for additional time to respond to written discovery
01/12/21 pretrial conference has been continued for 90 days; written discovery is outstanding
02/01/21 review discovery responses and requests; t/c P. Young
02/24/21-pretrial conference rescheduled for 4/16/21
02/25/21 responses for request for admissions sent to Mr. Spragens
03/02/21-email and mailed to P. Young- plaintiff's responses to first and second set of written discovery
03/03/21-motion for stay of all discovery; hearing is 4/7/21 at 11am
03/12/21-prep of letter to BK Clerk for certified copies
03/17/21-t/c S. Lefkovitz re funds collected in state court receivership
03/28/21- response to motion to stay filed
04/02/21- discuss tax filing requirements with L. Williams
04/02/21- t/c P. Young re upcoming hearing on motion to stay discovery in adversary proceeding
04/07/21-motion to stay discovery is granted in part; discovery is stayed at least through 5/26/21. Hearing set for 5/26/21
04/07/21-pretrial conference continued to 5/26/21
05/18/21-prep of motions to disallow claim 3, 4, and 6
05/18/21-claim 1 was withdrawn
05/19/21-review draft settlement agreement re claim 5; e-mail proposed changes to P. Young
05/26/21-order further staying discovery and continuing pretrial to July 21, 21 filed
06/14/21 t/c P. Young to discuss claim 6(R. McCarthy) and discussions with atty re claim 3; discuss attorney's liens
06/17/21-response to objection to claim # 3 and #4 filed by Phillip North; hearing will be held 6/25/21 at 11 am.
06/21/21-t/c P. Young to discuss objection filed by P. North and other case matters
06/22/21-motion to continue hearing on TE objection to claims 3 and 4 to on or after July 15, 2021 filed by P. Young
06/24/21-hearing on objection to claims 3 and 4 reset to July 21, 2021
06/29/21-notice of extension of time to respond to objection to claim 6 (extended to 7/19/21)
07/06/21-motion for comp/settle filed re: claim 5
07/13/21-review draft of settlement agreement (McCarthy) and discuss same with P. Young. Review email from C. Gabbert re: Chase settlement and discuss with P. Young
07/19/21/t/c P. Young re claim objections/settlements and upcoming hearing on discovery and etc in adversary, discuss other case matters

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07/19/21-a/o resolving TE objection to claim 3 & 4 filed
07/20/21-a/o resolving TE objection to claim 6 filed
07/20/21-emergency motion to continue pretrial in adv. filed; a/o entered; pretrial will be continued until 8/11/21 at 11am
07/27/21 review status report request from state supreme court
07/27/21-objection to motion for comp/settle filed by J. Spragens for Manookian PLLC and B. Manookian; hearing is 8/11/21 at 11am; objection also filed by creditor Konvilenska
07/28/21 review charging order re state court action(Phillip North)
07/29/21 file notice of status of bk case with TN Supreme Court
08/04/21 orders regarding claims 3, 4 and 6 entered.
08/09/21-hearing on objections to motion for comp/settle continued until 9/17/21 at 11 am.
08/09/21-pretrial in Adversary continued until 9/17/21 at 11 am.
09/01/21-t/c P. Young re upcoming hearing on objections to motion for comp and settle
09/13/21-review drafts of responses to objections to motion for comp and settle; t/c P. Young to discuss; review final drafts
09/14/21-TE response to objection of Grant, Konvilenska & Harrison, PC to motion for comp/settle filed
09/14/21-TE response to B. Manookian objection to proposed Chase claim and settlement filed
09/15/21-TE exhibit and witness list for hearing on TE motion for comp and settle filed
09/15/21-B. Manookian's exhibit and witness list for TE motion for comp/settle filed
09/17/21-hearing continued to 9/29/21 at 1pm
09/23/21- review and discuss motion to approve participation of P. Young at 9/29/hearing and motion re standing
09/24/21-motion to strike B. Manookian's objection and to preclude his participation in the 9/29/21 hearing
09/24/21 review order re hearing entered by Judge Walker
09/24/21 review revised proffer re Trustee testimony
09/27/21-response to TE motion to strike B. Manookian's objection
09/29/21- attend hearing on Trustee's motion to approve comp and settle; objections thereto and motion re standing of B. Manookian
09/30/21-review proposed order re Sept 29 hearing
10/01/21-order granting motion for comp/settle and finding B. Manookian lacks standing entered
10/05/21-review e-mails and order re state court proceeding in Chase v Stewart; Debtor not party to that action
10/14/21-notice of appeal and statement of election to District Court filed by J. Spragens
10/20/21-review response to motion/order setting ptc; review e-mail from P. Young re ptc
10/28/21-statement of issues on appeal filed by J. Spragens; discuss this and other case matters w/P. Young
11/02/21-review meet and confer letters re discovery after discussing with P. Young
11/04/21-t/c P. Young re case matters
11/22/21-prepare and send letter to state court clerk as requested re contact information and upcoming hearing
12/17/21-t/c P. Young re discovery requests from Hagh Law; letter re atty fee lien in ShVa(Asset #13)case from C. Gabbert; motions to compel discovery and appeals brief
12/20/21- review final draft of appellee brief in appeal by B. Manookian
12/20/21-motion to compel discovery from Manookian, PLLC , Hagh Law, PLLC and Afsoon Hagh filed
12/22/21-hearing on motion to compel is 1/5/22 at 11am
12/23/21-a/o to continue hearing to 2/2/22 filed
01/03/22-t/c P. Young re subpoenas and a/r matters (ShVa(Asset #13)case)
01/07/22-review response to subpoena (privilege log); e-mail P. Young re same
01/14/22- t/c P. Young re McCarthy subpoena response and other subpoena matters; other discovery issues; discuss appeal of comp and settle; discuss ShVa(Asset #13)case fee issues
01/18/22-review state court order re sealed documents and granting motion for stay pending outcome of the appeal of the settlement with creditor Chase
01/18/22 review e-mail re fee matters in ShVa(Asset #13)case
01/19/22-Manookian PLLC motion to compel responses to interogs filed; hearing is 2/16/22
01/24/22-1/27/22 review, discuss and revise discovery responses to Hagh Law in adversary proceeding
01/27/22 final review of attachments to production of documents; e-mail P. Young re same
01/28/22-discuss proposed protective order with P. Young
01/31/22-review motion to compel to Mr. Fitzgerald re subpoena; t/c P. Young upon receipt of e-mail from C. Gabbert re protective order and discovery
01/31/22-hearing on motion to compel Fitzgerald's 2/16/22; hearing on motion to compel continued to

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2/16/22; pretrial hearing continued to 2/16/22
02/02/22-protective order entered
02/09/22-TE response to Manookian PLLC motion to compel filed
02/14/22-revised protective order entered
02/16/22-submitted order continuing hearings and pretrial conference filed; hearings rescheduled for 3/17/22
03/02/22-t/c P. Young re discovery issues, review e-mails from C. Gabbert and J. Spragens
03/07/22-District ct order entered vacating bk court order re legal standard applied re standing in Chase settlement matter
03/09/22- review protective order (with Manookian PLLC)
03/10-3/11/22-review amended discovery responses after discussion with P. Young; e-mails to P. Young re same
03/13/22-review e-mails to J. Spragens and C. Gabbert re amended discovery responses
03/15/22-review state court order denying Hammervold motion for summary judgment re Chase party matters; judge's order says he needs to hear all facts from live witnesses
03/15/22-prehearing status report filed re: 3/17/22 hearing
03/17/22- attend hearing on motions to compel
03/18/22- copy of cd of hearing requested
03/22/22- discuss complaint filed by B. Cummings with P. Young
03/25/22-notice regarding motions to compel order filed; submitted expedited order to compel discovery responses
03/28/22- order regarding discovery entered
04/4/22-4/19/22 review State of Tennessee Dept of Revenue notice of levy to Metropolitan Bank; T/C L. Williams, accountant re state notice of levy; send copy of bk notice to L. Williams who provided to collection agent; awaiting response; subsequent t/c and e-mails with L. McCloud and B. McCormick, Senior Assistant Attorney Generals, Bankruptcy Division to have the lien released before the levy date and to avoid motion to quash and for sanctions; levy was released before deadline for bank to send funds to the Dept of Revenue ; Department of Revenue has filed a proof of claim
04/11/22-expedited motion to schedule pretrial conference on or before 4/15/2022and to continue depositions filed
04/14/22-order re: discovery matters and denying expedited motion for pretrial conference and cont. of depositions
04/20/22-4/21/22- Defendants' depositions of Trustee and P. Young
04/25/22-review notices of deposition for B. Manookian and A. Hagh; make notes; e-mail to P. Young ;t/c P. Young re changes to notice of deposition and discuss other case matters; review changes and reply to P. Young
04/29/22-agreed order rescheduling deposition of A. Hagh and Hagh Law, PLLC
05/05/22-notice of depo of R. McCarthy, B. Cummings and M. Fitzgerald
05/05/22-motion to recuse Judge Walker filed by J. Spragens; order scheduling response date 5/27/22 and hearing 6/29/22 at 1pm
05/10/22-Trustee attended deposition of B. Manookian
05/18/22-Trustee attended deposition of A. Hagh
05/19/22-motion to continue depositions and reset deadlines filed; order submitted filed by C. Gabbert
05/25/22-expedited motion to set telephonic hearing on motion to continue depositions filed by C. Gabbert
05/25/22-expedited order on motion to set telephonic hearing at 1pm 5/25/22
05/27/22-response to Manookians's motion to disqualify Bankruptcy Judge filed by C. Gabbert
05/27/22-Plaintiff's response to Manookian motion to disqualify Bankruptcy Judge filed
05/31/22-notice of deposition of Judge Walker filed by J. Spragens
06/01/22-order quashing deposition of Judge Walker entered
06/02/22-revised notice of deposition of Ronette McCarthy filed
06/03/22-revised notice of deposition of Brian Cummings filed
06/06/22-amended notice of deposition of Marty Fitzgerald filed
06/14/22-B. Manookian filed notice of appeal (in District Court)and statement of election re: order quashing notice of deposition of Judge Walker (DE 178)
06/20/22-TC P. Young re Fitzgerald subpoena; review e-mail to J. Spragens re same
06/21/22 review reply from J. Spragens;discuss with P. Young
06/22/22-review e-mail from P. Young to J. Spragens re cancellation of deposition upon Fitzgerald objection communicated by J. Spragens
06/24/22-motion for summary judgment and memorandum filed, by J. Spragens
06/27/22-t/c P. Young re upcoming hearing, discovery matters and Mass

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06/28/22-expedited motion/order setting status conference; pretrial conference is 7/13/22 at 11am
06/29/22-appellants statement of issues on appeal and designation of record filed by J. Spragens
06/30/22-notice re: dep of M. Fitzgerald filed
06/30/22-withdraw motion for status conference
07/18/22-review defendants' motion re summary judgment and response
07/22/22- motion to compel deposition and motion to stay deadline filed; response filed on 7/28/22 by J. Spragens; Plaintiff filed response on 7/28/22
07/25/22-order denying mfsj by defendants entered
08/04/22- t/c P. Young to discuss case matters and appeals
08/31/22-review draft of Trustee's brief in appeal to District Court of Judge Walker's order to quash subpoena for his deposition; discuss proposed changes with P. Young.
09/06/22 appeal brief has been filed
10/18/22 review state court order of settlement between Chase Parties and M. Hammervold; review 2 subpoenas issued by B. Manookian to M. Hammervold re same
10/31/22- review Chase and Mr. Manookian's status updates to state court re staus of bk court proceeding
11/01/22- appeal of order quashing notice of deposition of Judge Walker still pending
12/01/22- appeal still pending
01/19/23-appeal still pending-review reply e-mail from L. Williams re no tax return required to be filed for 22
02/07/23-t/c P. Young re status of pending matters
02/12/23-review district court order denying appeal re subpoena
03/08/23-t/c P. Young re case matters and appeal deadline; discuss district court order regarding Cummings lawsuit being transferred to Bankruptcy Court
03/10/23-Court has set hearing on motion to disqualify judge for March 28, 2023
03/14/23 t/c P. Young to discuss upcoming hearing-in person on 3/28/23; Cummings lawsuit has been transferred and the complaint has been filed.
03/28/23-hearing on motion to disqualify judge continued to 4/4/23 at 8am.
04/04/23- attend hearing on motion to disqualify judge; motion was denied; Judge Walker to set hearing on adversary matters
04/11/23 -Trustee's motion to continue hearing set for 5/25/23 filed; motion to schedule ptc filed
4/19/23- Notice of Appeal filed by defendants -order denying motion to recuse judge

Initial Projected Date Of Final Report (TFR): 12/31/2020

Current Projected Date Of Final Report (TFR): 03/31/2024